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C O N F I D E N T I A L SECTION 01 OF 02 YEREVAN 001036

SIPDIS

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TAGS: [PREL](#) [PHUM](#) [PGOV](#) [AM](#)

SUBJECT: ARMENIAN OMBUDSMAN UNDER FIRE

REF: YEREVAN 1028

Classified By: DCM A.F.Godfrey for reasons 1.4 (b,d).

SUMMARY

[1](#)1. (C) On May 26, Armenian National Security Service (NSS) investigators arrested Serob Antinyan, an assistant to the Armenian Ombudsman Larissa Alaverdyan. Antinyan later confessed to accepting a bribe. Alaverdyan privately acknowledges Antinyan's guilt but claims the heavy-handed investigation extends beyond Antinyan to a government "campaign" designed to further discredit her office, rein in her powers, undercut her criticism of the government's human rights record, and harass her associates. Recent GOAM action has limited Alaverdyan's authority and, she asserts, portends a faltering GOAM commitment to an independent Ombudsman. End Summary.

THE ARREST

[1](#)2. (SBU) On May 26 officials from the Armenian National Security Service (NSS) arrested Serob Antinyan, an assistant to Ombudsman and Human Rights Defender Larissa Alaverdyan. Antinyan confessed to accepting a USD 300 bribe from a local restaurant owner for dropping a public disturbance (loud music) case. The NSS, reportedly tipped off by the bribe-offering restaurant owner, arrested Antinyan after weeks of surveillance. (Note: The same reports allege Antinyan originally demanded USD 500, but the restaurant owner haggled to reduce the cost to USD 300. End Note.) Public television coverage included hidden surveillance footage of the payoff and arrest. Alaverdyan claims the NSS released the footage to intentionally discredit her office.

THE SEIZED COMPUTER

[1](#)3. (C) Alaverdyan told us that on the night of the arrest NSS officials raided her office and seized Antinyan's computer without a warrant. According to Alaverdyan, NSS head Gorik Hakobyan told her that investigators would use the information from the seized hard drive exclusively to assist in the Antinyan investigation. Alaverdyan claims, however, that security officials, acting on information they could only have gained from the computer, immediately began harassing an independent law firm to which she refers human rights complaints. Though we have no evidence directly linking the harassment with the confiscated computer, lawyers at the firm told us aggressive security agents began threatening them the day after the computer was confiscated.

ALAVERDYAN'S ACCUSATIONS

[1](#)4. (C) Alaverdyan privately acknowledges to us she believes Antinyan is guilty. She asserts, however, that the manner in which the NSS conducted its investigation resembles "methods used under the Soviet regime," as part of a "campaign" targeting the independence of the Office of the Ombudsman. NSS direct involvement in a case which has nothing to do with national security, she said, is unjustified. She cites a series of additional initiatives, both executive and judicial, as further evidence of the GOAM's faltering commitment to protecting human rights and the independent ombudsman, including a May 2005 Constitutional Court ruling restricting the Ombudsman's authority to intervene directly in open legal cases and presidential control of appointments to her office. (Note: The latter issue is under discussion as part of the current package of draft constitutional amendments per reftel. End Note.)

COMMENT: WADING THROUGH THE ACCUSATIONS

15. (C) While Alaverdyan has not presented concrete proof to support her accusations of a government "campaign" to silence the Office of the Ombudsman, we believe her persistent and public criticism of the government's human rights record has likely spurred attempts by officials to undercut her powers. Through her very public clashes, Alaverdyan has improved her credibility with local and international human rights NGOs, perhaps in an effort to boost her own "Fund Against Violation of Law," an NGO she continues to actively support despite clear conflicts of interest. We will continue to emphasize USG support for an independent and effective Human Rights Defender in our conversations with GOAM interlocutors.

EVANS